

**Mr. SPEAKER.**—The House will now rise for lunch and meet again at 3-30 P.M. In the afternoon we will take up the Mysore Cinemas Bill.

*The House adjourned for Lunch at three of the Clock and met again at thirty minutes past three of the Clock.*

[**Mr. SPEAKER** in the Chair].

**The Mysore Cinemas (Regulation) Bill, 1952.**

*Introduction.*

**Sri H. SIDDAVEERAPPA** (Minister for Home Affairs and Agriculture).—I beg to introduce the Mysore Cinemas (Regulation) Bill, 1952, which was published in the *Mysore Gazette Extraordinary* dated 15th October 1952 under rule 48 of the Rules of Procedure and Conduct of Business in the Mysore Legislative assembly.

**Mr. SPEAKER.**—He can also move for the consideration of the Bill.

*Motion to consider.*

**Sri H. SIDDAVEERAPPA.**—I beg to move:

"That the Mysore Cinemas (Regulation) Bill, 1952 be taken into consideration."

**Mr. SPEAKER.**—Motion moved:

"That the Mysore Cinemas (Regulation) Bill, 1952 be taken into consideration."

**Sri K. PATTABHIRAMAN** (Kolar).—One observation I wish to make. I want to bring to the notice of the Hon'ble Minister the definition of the word 'place' in the Act. I am referring to the definition of the word 'place' under section 2—clause (c). Even any private house will come under the provisions of the Act. It will be very wide. I am just bringing it to your notice so that you may consider for what it is worth. It is a very wide definition. This is how it runs:

"'Place' includes a house, building, tent and any description of transport, whether by water, land or air."

Even a private display in a private house for general purposes, for recreation purposes would be attracted and if without a license from the licensing authority—the procedure is prescribed—it would be illegal. I am just bringing it to your notice.

**Sri H. SIDDAVEERAPPA.**—By way of reply to the point raised by my friend, I may bring it to his kind notice that this Bill follows very closely the Central Act, *viz.* the Cinematograph Act, 1952. The definition given in Part I of that Act is this. "Place" includes a house, building, tent and any description of transport, whether by sea, land or air." I have more or less very closely followed the definition that has been given by that Act.

**Sri K. PATTABHIRAMAN.**—I only wish to point out the difficulty that would arise. For instance, in a private house, innocuously, just for recreation purposes, there will be a cinematograph. In some families they will have family recreation. That would also be attracted. It would necessarily mean that you must take a license from the licensing authority. I am only pointing out the hardship that would be caused. I am just bringing it to your notice. It is possible that you may have the authority of the All India legislation in your favour. Nevertheless, the difficulty is there.

**Mr. SPEAKER.**—But clause 3 makes it clear. There must be exhibition.

**Sri H. SIDDAVEERAPPA.**—As you were pleased to observe, under clause 3 it has been made very clear that there can be no exhibition unless by means of a license. I understand that it is only for a place of public resort that licensing... ..

**Sri K. PATTABHIRAMAN.**—That is defeated by the language employed. Your object is defeated. So I request you to consider it.

**Sri H. SIDDAVEERAPPA.**—I will consider that.

I would like to submit a few words as to the necessity that caused this Bill to be brought before this Hon'ble House. The Statements of Objects and Reasons have made the points clear as to why this Bill has been brought

before this House. At present we are governed by the Cinematograph Act, 1923 and the rules made thereunder with regard to the regulation and exhibition of cinematographs. After the State formed a part of the Indian Union, we were governed, until the Act of 1952 was passed by the Central Parliament, by the Cinematograph Act of 1918 which dealt with two separate matters, namely, examination and certification of films as suitable for public exhibition and regulation of cinemas including their licensing. In the VII Schedule of the Constitution we find cinemas coming under the Union List as item No. 60 and at the same time, in the State List also, in entry No. 33 we find the entry named 'cinemas subject to the provision of entry 60 of List I.' Therefore, it will be seen that under the Cinematograph Act, the State has certain powers and the Union has certain powers. Particularly with regard to the certification, the censorship and other provisions, we are governed by the Central Act. It was found, by practical experience in the matter of working, that there was some difficulty on the administrative side, and then the Central Government passed the latest Act called the Cinematograph Act, 1952 to regulate the cinemas including their licensing, etc. It received the assent of the President on the 21st March 1952 and was published in the Government of India Gazette. This was made applicable to this State as well as to other States from 28th July 1952 and now, so far as certification and other provisions are concerned, we are governed by that Act. That Central Act, as you will be pleased to observe, has been divided into four parts. Part I consists of definitions; Part IV repeal; Parts II and III relate respectively to examination and certification of films as suitable for public exhibitions and regulation of cinemas including their licensing. Part II, at present, extends to the whole of India except the State of Jammu and Kashmir. Part III extends to Part C States only. In order to have more or less uniform procedure, and, at the same time, to have some of the

provisions, which have become inoperative in our present time, excluded in view of the fact that the Central Act is in force with regard to certification, a new Act is now sought to be introduced, embodying the provisions of Part III of the Central Act. You will be pleased to observe that these provisions refer only to licensing and regulation of these cinema shows. Clause 2 deals with definitions; clause 3 deals with cinematograph exhibitions to be licensed and in clause 4 the licensing authority has been defined and has been restricted only to the District Magistrate; under clause 5 certain restrictions have been placed with regard to licensing of these cinemas and under clause 6, the Government have power in an emergency, in spite of the Central Act, to stop any show if there is any likelihood of imminent breach of the peace. Under clause 7, Sir, penalties have been imposed on persons contravening the provisions of this Act. Under clause 8, power has been given to revoke licence if a contingency arises. Clause 9 gives power to make rules. Clauses 10 and 11 deal respectively with power of exemption and repeal of the present Cinematograph Act.

**Sri A. BHEEMAPPA NAIK (Molakalmuru).**—I want to know whether clause 10 would not answer Sri Pattabhiraman's objection. Has not Government been empowered to give exemptions for exhibitions of certain type?

**Sri H. SIDDAVEERAPPA.**—As the clause itself is so clear, under any given set of circumstances, the Government may exempt any show from any one of the provisions of this Act. As a matter of fact, my Hon'ble friend Sri Pattabhiraman will agree with me that the word 'house' there refers even inferentially to a 'Public House' where the cinemas are shown, as a place of public resort, and not to any private amusement. Supposing one wants to have a private show in his own house or wants to enjoy oneself....

**Sri K. PATTABHIRAMAN.**—Or in a school...

**Sri H. SIDDAVEERAPPA.**—Or in a school, I can generally say, and my

(SRI H. SIDDAVEERAPPA)

Hon'ble friend will agree with me, that there is power, no doubt, as Sri Mascarenhas was pleased to observe, to grant exemption and it may be applied for and got. I suppose such cases of any private individual wanting to have the pleasure of having a show are few and far between. At any rate, the Government are not absolutely helpless, even as the Act now stands. Exemptions may be asked for and I do not think it is very difficult to take exemptions. What I want to say is, if the definition is made more elastic, perhaps it may lead to some more complications.

Sri K. PUTTASWAMY (Srirangapatna).—General exemptions also may be given.

Sri H. SIDDAVEERAPPA.—I may say that if the need arises under the rule-making power and also under clause 10, I shall certainly bear in mind what my Hon'ble friend has observed and a general exemption will be given in all such cases.

Sri K. PATTABHIRAMAN.—Very good. That is all right.

Sri H. SIDDAVEERAPPA.—I should like to say that this Act now takes away some of the provisions of the Act of 1923, because it contravenes some of the provisions of the Central Act as I have already observed. I, therefore feel that this is an innocuous measure; it tries to bring about uniformity and also it brings about an easy method in administrative matters. Therefore, I commend the Honourable House may be pleased to give its accord to this Bill.

Sri J. MOHAMED IMAM (Jagalur).—I want to know one thing. The certification of the Bill entirely rests with the Central Government and the State has no jurisdiction at all.

Sri H. SIDDAVEERAPPA.—As I have already said, that is a provision that will now vest with the Central Government. Under the Constitution itself, that comes within the purview of the Central Government in List I.

Sri V. M. MASCARENHAS (St. John's Hill).—Will there be no State Boards or Local Boards?

Sri H. SIDDAVEERAPPA.—So far as censorship and other things are concerned, this Government has nothing to do and it will be done only through the Central Act.

Mr. SPEAKER.—The question is:

"That the Mysore Cinemas (Regulation) Bill, 1952 be taken into consideration."

*The motion was adopted.*

Mr. SPEAKER.—Now the Bill will be taken up clause by clause. There are certain amendments. They will be taken up separately. Clauses 2 to 5. The question is:

"That Clauses 2 to 5, both inclusive, stand part of the Bill."

*The motion was adopted.*

Clauses 2 to 5, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 6. There is an amendment by Sri A. Bheemappa Naik.

Sri A. BHEEMAPPA NAIK.—Sir, I move:

"That in sub-clause (3) of clause 6, for the first two lines commencing from the words 'An order....' and ending with the words 'from the date thereof', the words 'An order made under this Section shall remain in force for such period not exceeding two months from the date thereof as may be specified in the order,' shall be substituted."

The object in moving this amendment is this: supposing a District Magistrate apprehends that there is a likelihood of the imminent breach of the peace and passes some order, he must have discretion to pass the order for such period as he deems fit and feels necessary. Here, the mandatory provision of law that the order passed shall remain in force for a period of two months would not be congenial; it would be quite appropriate if there is necessity for two months and let the Government afterwards continue for any further period. But, here, supposing the need or necessity of imminent breach of peace is to be obviated within

a period of 3 or 4 days or within a week, let the District Magistrate have the discretion to pass such an order. That is the object with which this amendment is brought. I feel, it is an innocuous amendment and the Government will certainly accept this.

**Mr. SEAKER.**—Amendment moved.

“That in sub-clause (3) of clause 6, for the first two lines commencing from the words ‘An order...’ and ending with the words ‘from the date thereof’, the words ‘An order made under this Section shall remain in force for such period not exceeding two months from the date thereof as may be specified in the order’ shall be substituted.”

**Sri J. MOHAMED IMAM (Jagalur).**—What I want to know is this. Supposing there is a film which is likely to cause breach of peace, and the District Magistrate bans its exhibition. After two months, if the same film is sought to be exhibited, the effect will be the same and there may again be breach of peace. Unless the root cause has been removed, there is bound to be breach of peace even after two months.

**Sri A. BHEEMAPPA NAIK.**—A film is first approved by the Central Government. The Board of Censors will have approved it and then it is exhibited. Further, even in the local area, if there is likelihood of the breach of peace, the District Magistrate passes an order for two months and even the Government can further go on extending the order. Therefore, there is power vested in the Government even under this clause. But supposing there is a certain occasion arising for a period of two or three days and he does not want this order to go on beyond that, under such circumstances, he will be given discretion just to pass an order for such period as he deems fit. That is all. Instead of binding his hand even in ordinary cases for the long period of two months, we are giving him a discretion, but at the same time we are not denying him the power to extend it for a period of two months. There is nothing wrong in that.

**Sri J. MOHAMED IMAM.**—But if a particular film continues to cause breach of peace even after two months, is it not necessary for the District Magistrate to take adequate precaution?

**Sri A. BHEEMAPPA NAIK.**—There is sub-clause (3) of clause 6 which says that the Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period as it thinks fit. So, the period shall be extended for any period and they may say even that the film shall not be exhibited at all.

**Sri H. SIDDAVEERAPPA.**—I accept the amendment.

**Mr. SPEAKER.**—The question is:

“That in sub-clause (3) of Clause 6, for the first two lines commencing from the words ‘An order.....’ and ending with the words ‘from the date thereof’, the words ‘An order made under this Section shall remain in force for such period not exceeding two months from the date thereof as may be specified in the order’ shall be substituted.”

*The motion was adopted.*

**Mr. SPEAKER.**—The question is.

“That Clause 6, as amended, stand part of the Bill.”

*The motion was adopted.*

Clause 6, as amended, was added to the Bill.

**Mr. SPEAKER.**—Clause 7.

**Sri A. BHEEMAPPA NAIK.**—I move:

“That in Clause 7 after the end of the sentence at the end of the clause, the full stop (.) be omitted and the following be added:

Provided that a notice in writing of fifteen clear days has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the



(SRI A. BHEEMAPPA NAIK)  
conditions or restrictions aforesaid  
within a period of one week from  
the date of receipt of the said  
notice."

In such cases, certain breaches contemplated under this Act are made punishable and for the first breach he has to pay a fine of Rs. 1,000 and in the case of a continuing offence, a further fine which may extend to one hundred rupees for each day during which the offence continues and until he sets the thing right. I beg to bring to your kind notice a certain contingency in this connection. Supposing tomorrow he commits a certain breach and he is asked to set it right. What happens is: certain things in certain areas may not be available, for example a fan, or a fire extinguisher or things which are necessary for the safety of the people. Therefore he must have due notice and sufficient time at his disposal to set that defect right. What I have just suggested here is that sufficient notice must be given, because one may be running a show or a cinema and we may observe that certain things are not in the interest and safety of the public that resort to such cinemas. It is true and necessary that there should be sufficient provision made to punish a person because it is a place of public resort and any breach of such law might endanger the safety of the public. Therefore provision has been rightly made that there should be sufficient safety. On the other side, he must be given due notice, say 15 days or a week's time to set right that defect. But in spite of all that, if he does not set it right, he is really liable for such punishment and we have no objection to give him such punishment. These penal provisions are very necessary, but he must be given sufficient time to set right the defect. He must be given due notice which is legal and proper. Therefore just to obviate these difficulties, I have brought this amendment and I hope the mover will kindly accept this amendment.

Mr. SPEAKER.—Amendment moved:

"That in clause 7 after the end of the sentence at the end of the

clause the full stop (.) be omitted and the following be added."

"Provided that a notice in writing of fifteen clear days has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the conditions or restrictions aforesaid within a period of one week from the date of receipt of the said notice."

Sri K. PATTABHIRAMAN.—The language of the amendment is not all right, Mr. Speaker, not that I rise to oppose the amendment. It is salutary. I want you to kindly consider the language employed. In case notice in writing is given asking a person to comply with something, necessary things must follow with the failure to comply with that notice. When he has not complied with the notice, you go a step further and say that he must comply with the provisions of the Act and with the rules and all that. If he does not comply with the notice necessary prosecution and other things must follow.

Sri A. BHEEMAPPA NAIK.—I agree. I can understand.

Sri K. PATTABHIRAMAN.—The language may kindly be changed.

4 P.M.

Sri A. BHEEMAPPA NAIK.—If there is any necessity for changing the language it may be done. But I do not see that there is any necessity. If we read clause 7, we find that there are two provisions; one is:

"If the owner or occupier of any place permits that place to be used in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act....."

Mr. SPEAKER.—The Hon'ble Member, Sri Pattabhiraman, is concerned about the language.

**Sri K. PATTABHIRAMAN.**—My friend may kindly follow. When we are determining a penal provision, the language must be specific. Suppose a particular contravention has happened and you give him a notice. Failure to comply with that notice must result in prosecution. That is not what the language says. It says:

“Provided that a notice in writing of fifteen clear days has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or the Rules made thereunder.....”

You will see that the penal provisions are taken away. Failure to comply with that notice must follow prosecution. That is what I want you to consider.

**Mr. SPEAKER.**—supposing this is added on:

“or of the rules made thereunder or of the conditions or restrictions aforesaid referred to in the said notice.”

**Sri A. BHEEMAPPA NAIK.**—What I am saying is this. When he has not complied with the provisions of the Act, immediately he shall not be prosecuted. He does not know whether he has broken the conditions or whether he is acting against the conditions or restrictions imposed upon him. You point out that he has not done this and give a notice of fifteen days telling him that these defects ought to be set right within that period. Those fifteen days lapse and still they have not been set right.....

**Sri K. PATTABHIRAMAN.**—If he does not comply with that notice, prosecution must ensue.

**Mr. SPEAKER.**—Notice is necessary if conditions are violated.

**Sri K. PATTABHIRAMAN.**—When he complies with that notice, prosecution shall not follow.

**Sri A. BHEEMAPPA NAIK.**—My point is this. Fifteen days' notice is given to set right a defect. If the person has not set it right within one

week after the said notice, prosecution follows. That is all my point.

**Sri H. SIDDAVEERAPPA.**—May I intervene? Perhaps the difficulty my friend Sri Pattabhiraman envisages will be made clear if we add just a few words more like this:

“Provided that a notice in writing of fifteen clear days has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the conditions or restrictions aforesaid referred to in the said notice.....”

**Mr. SPEAKER.**—That is what I suggested.

**Sri H. SIDDAVEERAPPA.**—Perhaps that will satisfy my friend and make the position clear. I think, if these few words are added, the position will be made clear.

**Sri K. PATTABHIRAMAN.**—Yes.

**Sri A. BHEEMAPPA NAIK.**—If the House will kindly permit me I shall add on the words “referred to in the said notice.” With that, I submit, it will be quite all right and I request the Government to kindly accept this amendment.

**ಶ್ರೀ ಮುಲ್ಕಾ ಗೋವಿಂದರಾಜು.**—On a point of clarification. ಒಂದು ಸಿನಿಮಾ ಮಾಲೀಕನಿಗೆ ಕಾನೂನು ಪ್ರಕಾರ ನಡೆದಿಲ್ಲವೆಂದು ನೋಟೀಸ್ ಕೊಟ್ಟಿರುತ್ತಾರೆ. ಅಪ್ಪು ದಿನದವರೆಗೂ, ಎಂದರೆ ಆ ಮಧ್ಯೆ ಸಿನಿಮಾ ಫೋಗ್‌ಗಳನ್ನು ನಿಲ್ಲಿಸಿರುತ್ತಾರೋ ಅಥವಾ ನಡೆಸುತ್ತಿರುತ್ತಾರೋ? ಅದಕ್ಕೆ ಬೇಕಾದ ಸಲಕರಣೆ ಸಾಮಗ್ರಿಗಳು ಸಿಕ್ಕಿಲ್ಲವೆಂದು ಅವನ್ನು ಮಾಡಿರುವುದಿಲ್ಲ. ಹೀಗಿದ್ದರೂ ಜನರಿಗೆ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಸಿನಿಮಾ ಫೋ ನಿಲ್ಲಿಸಬೇಕೆಂದು ಹೇಳುತ್ತಿರೋ ಅಥವಾ ಸಾಮಾನುಗಳನ್ನೊದಗಿಸಿಕೊಂಡು ನೋಟೀಸಿನ ಪ್ರಕಾರ ನಡೆಯುವವರೆಗೂ ಸಿನಿಮಾ ನಡೆಸುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡುತ್ತಿರೋ ತಿಳಿಸಬೇಕು.

**Sri D. DEVARAJ URS (Hunsur).**—According to the amendment, the wish of the mover is to give fifteen clear days. But in the later part of the sentence it is stated “one week from the date of receipt of the said notice.” From the moment a person receives notice, he is given time of one week. This contradicts the above idea. That

(Sri D. DEVARAJ URS)

may be rectified. Either we must stick on to one week or fifteen days or say twenty-two days.

**Sri A. BHEEMAPPA NAIK.**—The objection raised by my friends Sri Mulka Govinda Reddy and Sri D. Devaraj Urs is that it must be fifteen days from the issue of notice. But prosecution is quite a different thing. Even after the expiry of fifteen days we may give further time for one week. Even after that, if he does not set right the defect then prosecution will follow. The fifteen days' notice is to allow sufficient time and then one week is given to set right the defect.

**Sri D. DEVARAJ URS.**—The intention of the mover is all right. But that intention is not carried out in the amendment as such. He wants that fifteen days' clear notice should be given to the party.

**Mr. SPEAKER.**—For what purpose?

**Sri D. DEVARAJ URS.**—To rectify the defects or to comply with the provisions of the notice.

**Mr. SPEAKER.**—Please read the remaining clause.

**Sri D. DEVARAJ URS.**—In the last sentence it is stated that after one week from the receipt of the said notice he has to be prosecuted. We will have given the party fifteen days' notice to set right the defect. After one week from the moment he receives the said notice, if he does not set right the defect, he has to be prosecuted.

**Sri A. BHEEMAPPA NAIK.**—Not after receipt of the said notice but after the expiry of the previous notice. Or shall we say "twenty-one days' clear notice"?

**Sri Mulka GOVINDA REDDY.**—Why not the matter be referred to a Select Committee?

**Sri A. BHEEMAPPA NAIK.**—Not necessary. I have no objection to amend it this way: "one week from the date of the expiry of the period of such notice".

**ಶ್ರೀ ಕೆ. ಎ. ಶಂಕರಗೌಡ (ಮಂಡ್ಯ).**—ಇದರಲ್ಲಿ ಏನಾದರೂ ನ್ಯೂನತೆಗಳಿದ್ದರೆ ಅದನ್ನು ತಿದ್ದಿಕೊಳ್ಳಲು ಅವಕಾಶಕೊಡಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ನೋಟೀಸ್ ಕೊಡಬೇಕಾದ ಉದ್ದೇಶವಾದರೂ ಇಷ್ಟೇ. ಮಾಲೀಕರಿಗೆ ಕಾರಾವ

ಕಾಶ ಕೊಡಬೇಕು, ಹಾಗೂ ಅವರು ಮಾಡಬೇಕಾದುದ್ದರೆ ಅವರ ಮೇಲೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತೇವೆಂದು ಅದರಲ್ಲಿ ತಿಳಿಸುತ್ತಾರೆ. ಈ ಕಾರಾವಧಿ ಆದಮೇಲೂ ಒಂದುವಾರ ಅವಕಾಶಕೊಡಬೇಕೆಂದರೆ, ಇದು ಸಮಂಜಸವಾಗುವುದಿಲ್ಲ. ನೋಟೀಸಿನಲ್ಲಿ ಎಂಟು ದಿವಸ ಅಥವಾ ಹದಿನೈದು ದಿವಸ ಎಂದು ಹೇಳಬಹುದು. ನೋಟೀಸ್‌ಕೊಟ್ಟ ಮೇಲೂ ಒಂದುವಾರ ಕೊಡುತ್ತೇವೆಂದು ಹೇಳುವುದು ಸರಿಯಾಗುವುದಿಲ್ಲ. ನೋಟೀಸಿನಲ್ಲಿ ತಿಳಿಸಿದ ಕಾರಾವಕಾಶದಲ್ಲಿ ಮಾಲೀಕರು ಆ ಕೆಲಸ ಮಾಡಬೇಕಾದುದ್ದರೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಒಟ್ಟಿಗೆ ಒಂದೇ ಸಾರಿ 21 ದಿವಸ ಎಂದು ಮಾಡಬಹುದು. ಅದು ಒಟ್ಟು ನೋಟೀಸ್ ಅವಕಾಶವಾದ ಮೇಲೆ ಮತ್ತೆ ಎಂಟು ದಿವಸ ಎಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ. ನೋಟೀಸಿಗೆ ಬರೆ ಕೊಡದೆ ಹೋದರೆ ಆಮೇಲೆ ಒಂದು ವಾರ ಕಾರಾವಕಾಶ ಕೊಡುತ್ತೇವೆಂದು ಹೇಳುವುದು ಸಮಂಜಸವಾಗಿಲ್ಲ.

**Sri H. SIDDAVEERAPPA.**—Sir, I may bring it to your kind notice that it is a penal provision and therefore one will have to be very cautious. Looking at the effect of this notice and the amendment that has been moved by my friend and also the several observations made by some Members, I feel that the point is not free from doubt. I suppose that, if my friend is agreeable to amend his amendment to this effect, probably it will comply with the several observations made by Members and I hope the desired effect will be there. I shall read it:

"Provided that a notice in writing has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the conditions or restrictions aforesaid referred to in the said notice *within a period of fifteen days from the date of receipt of the said notice.*"

Probably that will obviate all the trouble, if my friend is agreeable.

**Sri A. BHEEMAPPA NAIK.**—I have absolutely no objection. I have suggested one week from the expiry of fifteen days' notice. Instead of that, let us have it at twenty-one days.

**Sri H. SIDDAVEERAPPA.**—My friend will see that these fifteen days begin to run from the date of the receipt of the said notice.

**Sri A. BHEEMAPPA NAIK.**—I have no objection if the Hon'ble Minister accepts the amendment.

**Sri Mulka GOVINDA REDDY.**—With regard to the exhibition in that period, I want clarification. ಈ ಕಾರಾವಕಾಶ ದೊಳಗಾಗಿ ಸರಿಯಾದ fire extinguishers ಮುಂತಾದುವನ್ನು ನಿಯಮಗಳಪ್ರಕಾರ ಹಾಕದೇಯಿದ್ದರೆ, ಸಿನಿಮಾವನ್ನು ನಿಲ್ಲಿಸುತ್ತಿರಾ ಅಥವಾ ಇಲ್ಲವೆ ಎಂದು ನನಗೆ ಅನುಮಾನವಾಗಿದೆ.

**Sri H. SIDDAVEERAPPA.**—I will accept the amendment as amended.

**Mr. SPEAKER.**—The question is :

"That in Clause 7 after the end of the sentence at the end of the clause, the full stop (.) be omitted and the following be added :

'Provided that a notice in writing has been given to the owner or to the person in charge of a Cinematograph or to the occupier as the case may be and he has not complied with the provisions of the Act or of the Rules made thereunder or of the conditions or restrictions aforesaid referred to in the said notice within a period of fifteen days from the date of receipt of the said notice.'

*The motion was adopted.*

**Mr. SPEAKER.**—The question is :

"That Clause 7, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 7, as amended, was added to the Bill.

**Mr. SPEAKER.**—Clause 8.

**Sri A. BHEEMAPPA NAIK.**—Sir, I move:

"That in Clause 8, after the end of the clause, the following sentence be added :

"An appeal shall lie to the Government against the said order of revocation within thirty days from the date thereof."

Sir, Clause 8 provides for cancellation of the licence by the District Magistrate after knowing that the licensee has been convicted. Supposing, even after fifteen days' clear notice, he does not comply with these provisions and prosecution

ensues and he is convicted, still he pays the fine and goes on. In that case what will happen is that the District Magistrate will withdraw the license. After withdrawal what should he do? We just wanted to provide for him an opportunity to prefer an appeal against such an order, that is all. It is quite necessary, in case of injustice, there should be a provision for an appeal and I have just brought an amendment to indicate the provision for an appeal of such a kind, Sir. I hope the mover of the Bill will kindly accept it.

**Mr. SPEAKER.**—Amendment moved:

"That in Clause 8, after the end of the clause, the following sentence shall be added :

"An appeal shall lie to the Government against the said order of revocation within thirty days from the date thereof."

**Sri H. SIDDAVEERAPPA.**—What probably the mover proposes by his amendment is: against the order passed as per Clause 8, by the District Magistrate, now there is no appeal. It appears that it is conclusive. He wants the powers to be vested in Government to review the orders of the Licensing Authority. Sir, I accept the amendment.

**Mr. SPEAKER.**—The question is :

"That in Clause 8, after the end of the clause, the following sentence shall be added :

"An appeal shall lie to the Government against the said order of revocation within thirty days from the date thereof."

*The motion was adopted.*

**Mr. SPEAKER.**—The question is :

"That Clause 8, as amended, stand part of the Bill."

Clause 8, as amended, was added to the Bill.

**Mr. SPEAKER.**—Clause 9.

**Sri A. BHEEMAPPA NAIK.**—Sir, I want to make an observation so far as Clause 9 is concerned. The Government has been empowered to make rules not inconsistent with this Act. What I

(SRI A. BHEEMAPPA NAIK)

submit is that the rules framed should be brought before this House, so that the House might know whether they are relevant or not. The general clauses also provide, I know, for such things being brought before this House, but anyway I hope the Hon'ble the Mover will do the needful.

**Mr. SPEAKER.**—You have not sent any amendment.

**Sri A. BHEEMAPPA NAIK.**—I am making only an observation that these rules should be brought before this House.

**Sri H. SIDDAVEERAPPA.**—I have an obligation to bring all those rules before the House just as I have done in the case of many official Acts. I may assure the Hon'ble Member that the rules when framed will be placed before the House, as usual.

Sir, in clause 9, with your kind permission, I would like to request that a small verbal amendment, which has been necessitated on account of the amendment to Clause 8, may be permitted by you, Sir.

I move:

"That in sub-clause 2 (c) of Clause 9, the word and figure 'or section 8' shall be inserted between the words and figure 'section 5' and may be preferred."

Because now the power has been vested in the Government to hear an appeal, certain rules will have to be made thereof. I pray Sir, you may please allow me to move that verbal correction to be made.

**Sri A. BHEEMAPPA NAIK.**—So far as the amendment to Clause 8 is concerned, there is a provision made prescribing a time limit of thirty days to prefer an appeal.

**Sri H. SIDDAVEERAPPA.**—I submit Sir, so far as time is concerned it is there.

**Mr. SPEAKER.**—The question is:

"That in sub-clause 2 (c) of Clause 9, the words and figure 'or section 8' shall be inserted between

the words and figure 'section 5' and 'may be preferred'."

*The motion was adopted.*

**Mr. SPEAKER.**—The question is:

"That Clause 9, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 9, as amended, was added to the Bill.

**Mr. SPEAKER.**—Clauses 10 and 11. The question is:

"That Clauses 10 and 11 stand part of the Bill."

*The motion was adopted.*

Clauses 10 and 11 were added to the Bill.

**Mr. SPEAKER.**—Clause 1. The question is:

"That Clause 1 stand part of the Bill."

*The motion was adopted.*

Clause 1 was added to the Bill.

**Mr. SPEAKER.**—Title and Preamble. The question is:—

"That the Title and the Preamble stand part of the Bill."

*The motion was adopted.*

The Title and the Preamble were added to the Bill.

*Motion to pass.*

**Sri H. SIDDAVEERAPPA.**—Sir, I move:

"That the Mysore Cinemas (Regulation) Bill, 1952, as amended, be passed."

**Mr. SPEAKER.**—The question is:

"That the Mysore Cinemas (Regulation) Bill, 1952, as amended, be passed."

*The motion was adopted.*

**Mr. SPEAKER.**—No other business for the day. The House stands adjourned now and will meet to-morrow at 12 noon.

*The House adjourned at Twenty Minutes past Four of the Clock to meet again at Twelve noon on Tuesday, 21st October 1952.*